

REMARKS

Reconsideration and allowance of the subject application is respectfully requested. By this Amendment, Applicant has canceled claims 2-10 and added new claims 11-21. Thus, claims 11-21 are now pending in the application. In response to the Office Action (Paper No. 7), Applicant respectfully submits that the pending claims define patentable subject matter.

The Examiner maintains that the Information Disclosure Statement (IDS) filed on October 18, 2001 fails to comply with 37 C.F.R. § 1.98(a)(2) because copies of the listed references were not provided. However, the present application is a divisional application under 35 U.S.C. § 1.53(b) of U.S. Appln. No. 09/624,222 and the listed references were submitted along with an IDS filed in U.S. Appln. No. 09/624,222. Therefore, as provided in 37 C.F.R. § 1.98(d), copies of the listed references are not required (as indicated in the IDS filed October 18, 2001).

Claims 2-10 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of pending U.S. Appln. No. 09/624,222 in view of Adachi (JP 09103052A) and Tamaka et al. (USP 4,876,473). Although claims 2-10 are canceled, Applicant notes that the present application is a divisional application under 35 U.S.C. § 1.53(b) of U.S. Appln. No. 09/624,222 and was filed due to a restriction requirement therein. Thus, in accordance with 35 U.S.C. § 121, U.S. Appln. No. 09/624,222 may not be used as a reference against the present application in a double patenting rejection. **See MPEP 804.01.**

Applicant has replaced claims 2-20 with new claims 11-21 in order to more clearly recite the method of the present invention. With regards to independent claim 11, the cited references

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do not teach or suggest disposing insulating members around the straight portions of the winding portions prior to inserting the winding into the slots of the stator core. With regards to independent claim 12, the cited references do not teach or suggest inserting a plurality of individual insulating members into the slots of the stator core. With regards to independent claim 13, the cited references do not teach or suggest disposing a straight base insulating member over an opening portion of the slots of the stator core, and inserting the polyphase stator winding into the slots of the stator core with the straight base insulating member being interposed between the stator core and the polyphase stator winding, wherein inserting the polyphase winding into the slots causes the base insulating member to be inserted into the slots. Accordingly, Applicant respectfully submits that independent claims 11-13, as well as dependent claims 14-21, should be allowable over the prior art of record.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



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APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claims 2-10 are canceled.

Claims 11-21 are added as new claims.